

### **REMARKS**

This is in response to the Office Action mailed July 20, 2006.

Amendments have been made to independent claims 1 and 8 without adding new matter. Support for the amendments can be found in independent claims 12 and 17. Also, claim 11 is amended in order to correct a minor typographical error. No new matter has been added by this amendment.

Reconsideration of this application is respectfully requested in view of this amendment and remarks that follow.

### **STATUS OF CLAIMS**

Claims 1-19 are pending.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 2004/0143644 A1 (Berton).

### **OVERVIEW OF CLAIMED INVENTION**

The presently claimed invention relates to automatic routing and rank configuration for search queries in information retrieval systems, for example in a meta-search of web pages. In a non-limiting example, queries are first divided into types, for example navigational or informational. Navigational queries relate to finding a particular page, whereas informational queries relate to finding specific information wherever it is located, and queries may also be classified into other types. Ranking parameters are then chosen for a number of search engines according to the query type. Next, routing to indices available on each search engine is selected.

Separate indices may be available, for example, for 'anchor' terms in a page and for the page itself, but other types of indices may also be available. The search results for each search engine are then combined and displayed in a web browser, for example.

### In the Claims

Applicants thank the Examiner for the courteous conversation of 09/15/2006, regarding the declarations under 37 CFR § 1.131 filed on 04/11/2006. As mentioned during the conversation, Applicants erroneously omitted the filing of the documentary evidence/exhibit to establish conception of the present invention prior to the effective date of the Berton reference. The declarations under 37 CFR § 1.131 along with the documentary evidence/exhibit are filed herewith for the Examiner's reconsideration.

As stated in Applicants' previous response of April 11, 2006, the invention as claimed in claims 1-17 was conceived prior to November 11, 2002, and constructively reduced to practice by filing the present application on September 15, 2003, with due diligence from before the effective date of the Berton et al application to at least the date of constructive reduction to practice of the present invention.

The Berton et al application was filed on April 1, 2003 and claims priority from provisional application 60/441,404 filed on January 21, 2003. Based on the documentary evidence submitted, the Berton reference is not prior art against claims 1-17 of the present invention and Applicants respectfully request the Examiner to withdraw the rejections.

It should, however, be noted that the request to withdraw the rejections regarding claims 1-17 does not indicate that the Applicants acquiesce with the arguments put forth by the Examiner. For example, Applicants contend that the Berton reference fails to provide many of the features of the claimed subject matter as indicated below.

#### REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 2004/0143644 A1 (Berton). To be properly rejected under 35 U.S.C. § 102(e), a reference must provide for all the features (i.e., system elements in case of a system claims and method steps in case of a method claim) of the claim being rejected. Applicants contend that the Berton reference fails to provide for many of the features of claims 1-19.

On page 5 of the office action dated July 20, 2006, the Examiner asserts that paragraph 37 of the Berton reference teaches the following steps of Applicants' pending independent claims 12 and 17: "identifying statistical information regarding each of said query terms and different permutations of query terms", "identifying lexical affinities associated with said permutation of query terms" and "classifying said query into a query category based upon results of step c and d". Applicants respectfully contend otherwise. It is unclear from the paragraph 37 (of the Berton reference) cited by the Examiner, which specific steps/citations of the paragraph, the Examiner is using to equate to the above-mentioned features of Applicants' pending independent claims 12 and 17.

Paragraph 37 of the Berton reference merely discloses a search query object comprising key-value pairs 206 (as also disclosed in Figure 2A of the Berton reference) that specify the user's search request, wherein the user's key "KEYWORDS" may be modified to add one or more specific search terms to the value of the key "KEYWORDS". Based on the key "CATEGORY" specified by the user via a user interface, a query processor generates data requests with the key "KEYWORDS" which are sent to various data sources. It appears that the Examiner is equating "KEYWORDS" of the Berton reference to "query terms" of Applicants' pending claims 12 and 17. However, for argument sake, even if such an assumption is made, Applicants contend that there is NO teaching or suggestion of identifying statistical information or different permutations regarding the "KEYWORDS" in paragraph 37 or the entirety of the Berton reference. Also, there is also NO teaching or suggestion of identifying lexical affinities associated with the permutation of "KEYWORDS" in paragraph 37 or the entirety of the Berton reference. Furthermore, in the Berton reference, the query "CATEGORY" is specified by the user via a user interface. The query "CATEGORY" of the Berton reference is not based on identification of statistical information regarding query terms and permutations of query terms. Neither is it based on identification of lexical affinities associated with the permutation of query terms.

Hence, Applicants contend that the Berton reference fails to teach or suggest many of the features of Applicants' pending independent claims 12 and 17. Applicants respectfully request the Examiner to withdraw the rejections and respectfully assert that Applicants' pending independent claims 12 and 17 are allowable.

The above-mentioned arguments with respect to independent claims 12 and 17 substantially apply to independent claims 1 and 8. Hence, Applicants respectfully request the Examiner to withdraw the rejections and respectfully assert that Applicants' pending independent claims 1 and 8 are also allowable.

If the Examiner still feels that the Berton reference provides for at least the following features of Applicants' pending independent claims 1, 8, 12, and 17: "identifying statistical information regarding each of said query terms and different permutations of query terms", "identifying lexical affinities associated with said permutation of query terms" and "determining a query class/category for the query based upon the statistical information and lexical affinities"; Applicants respectfully remind the Examiner that it is the duty of the Examiner to specifically point out each and every feature of a claim being rejected as per §1.104(c)(2) of Title 37 of the Code of Federal Regulations and section 707 of the M.P.E.P., which explicitly states that "the particular part relied on must be designated" and "the pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified".

Furthermore, the above-mentioned arguments with respect to independent claims 1, 8, 12, and 17 substantially apply to dependent claims 2-7, 9-11, 13-16 and 18-19 as they inherit all the limitations of the claim from which they depend. Hence, Applicants respectfully request the Examiner to reconsider these claims and withdraw the rejection in light of the arguments presented above.

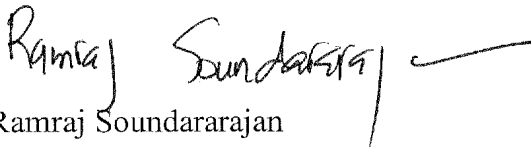
SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this response has been timely filed, no request for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 12-0010.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

  
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